

# CHILD SAFETY SEATS

## **O.C.G.A. § 40-8-76 (Child Restraint Violations)**

Child passenger restraining systems must be used for children

- **UNDER SIX years old**
- In **PASSENGER AUTOMOBILES, VANS, OR PICKUP TRUCKS**

### **Vehicles Exempt from having to use Child Restraint Seats:**

- Taxicabs
- Public Transit Vehicles
- School Bus/Vans
- Until July 1, 2007, Childcare Facility Vans for 5 year olds only & the 5 year old still must be in a safety belt

### **Children Under 6 years old Exempt from Child Restraint Seats:**

- Measuring over 4'9"
- OR**
- Weighing at least 40 lbs

These children must still be in a safety belt. Those children under 6 years old not in a seat based on weight (40 or more lbs) may only be in a lap belt (with no shoulder belt) if the vehicle has no shoulder belts or all the seat belts with shoulder belts are being used by other children.

**Note:** Child Restraining Seats should be used in the rear seating unless the rear seating position is inappropriate for correctly restraining a child in a child safety seat or all other appropriate rear seating positions are occupied by children.

\* O.C.G.A. § 40-8-76 was amended in 2004 by H.B. 217. Only those changes affecting law enforcement's ability to make charges are outlined in this summary. These changes were effective May 14, 2004. O.C.G.A. § 40-8-76 only applies to children under 6. Children 6 and over are treated as other adult passengers under O.C.G.A. § 40-8-76.1.